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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,486	03/12/2004	Timothy Graham Bradley	BLD920040003US1	8390
50441 7590 06/11/2009 DUFT BORNSSEN & FISHMAN, LLP 1526 SPRUCE STREET SUITE 302 BOULDER, CO 80302				
EXAMINER				
UHLENHAEKE, JASON S				
ART UNIT		PAPER NUMBER		
2853				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Application No.**Applicant(s)**

10/799,486

BRADLEY, TIMOTHY GRAHAM

Response to Rule 312 Communication**Examiner****Art Unit**

JASON S. UHLENHAKE

2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 02 June 2009 under 37 CFR 1.312 has been considered, and has been:

- a) ☐ entered.
- b) ☐ entered as directed to matters of form not affecting the scope of the invention.
- c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

- d) ☒ disapproved. See explanation below.
- e) ☐ entered in part. See explanation below.

The proposed amendment after allowance changes the scope of the claims to such a degree that further examination is required by the examiner. The term ring refers to an electrode in which both ends are connected, while the term circular will have ends which do not connect and only have a round shape. Therefore the scope of the claims have been changed with the term circular. Further the remarks fail to point out why the amendment was not presented earlier, why the claims are patentable, and why the amended claims do not require additional search or examination, as required by MPEP 714.16 [R-3]

/Julian D. Huffman/
Primary Examiner, Art Unit 2853